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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,158	12/17/2001	Michael Wayne Brown	AUS920010833US1	4017

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EXAMINER

NGUYEN, QUYNH H

ART UNIT PAPER NUMBER

2614

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,158

Applicant(s)

BROWN ET AL.

Examiner

Quynh H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on remarks filed 1/19/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12,15,31-44 and 55 is/are allowed.
- 6) ☒ Claim(s) 1-11,13-14,16-30, and 45-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

2. Claims 1-11, 13-14, 16-22, and 45-48 are rejected under 35 U.S.C. 102(b) as being anticipated over Szlam (U.S. Patent 5,511,112).

Regarding claims 1 and 5, Szlam teaches the steps of: a telephone network (Fig. 1); detecting a call request for a call (Fig. 6, line 20 and col. 7, lines 23-24 – detecting an incoming call); and request the connected party to signal his or her presence (col. 8, lines 45-52), wherein the context indicates whether an on behalf of action is invoked for said call (col. 12, line 67 through col. 13, line 4 – the secretary placed a call on behalf of Mr. X, and col. 17, lines 56-59 - the receptionist answered the call on behalf of the desired party), the message device play a message “I am calling for (desired party) (col. 18, lines 64-65 reads on “requesting a context for said call” . For example, when the called party’s secretary answers the phone or the IVR would ask, “who is calling?” “what is this reference to?”; “please say your name”; “for John press 1 for Eddie press 2).

Regarding claims 2 and 6, Szlam teaches the on behalf of action indicates that a caller identified for placing said call is calling on behalf of another party (col. 13, lines 2-4).

Regarding claims 3 and 7, Szlam teaches the on behalf of action indicates that a callee identified as a recipient of the call is answering the call on behalf of another party (col. 17, lines 56-59 and col. 18, lines 61-65 – “I’m calling for (desired party)”).

Regarding claims 4, 8, and 10, Szlam teaches transferring said context for said call to at least one party to said call (col. 2, lines 45-46 – connected available agent to the party).

Claim 9 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Szlam teaches a recording medium (Fig. 1).

Regarding claims 11, 17, 21, and 48, Szlam teaches receiving a context request for an incoming call (col. 3, line 15); analyzing call context information associated with the call (col. 3, lines 16-17 – from the receiving information regarding incoming telephone call); and inferring that an on behalf of action is invoked for the call from call context information (col. 12, line 67 through col. 13, line 4 – the secretary placed a call on behalf of Mr. X, and col. 17, lines 56-59 - the receptionist answered the call on behalf of the desired party).

Claim 13 is rejected for the same reasons as discussed above with respect to claim 11. Furthermore, Szlam teaches a recording medium (Fig. 1).

Claim 14 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Szlam teaches detecting a call between at least two parties (Mr. X’s secretary and the agent); informing at least one party (“the agent”) that the on behalf of action is invoked such that an on behalf of party is also indicated for the call (col. 13, lines 3-4 – ask the agent to please hold for Mr. X).

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Claim 16 is rejected for the same reasons as discussed above with respect to claims 13 and 14.

Regarding claims 18 and 32, Szlam teaches the context information comprises identifiers for said at least one from among, profiles associated with subscribers of line numbers associated with the call (col. 14, lines 48-50 – record of parameters).

Claim 19 and 33 are rejected for the same reasons as discussed above with respect to claims 1, 2, and 3.

Regarding claims 20, 22, 34, 36, and 47, Szlam teaches detecting an automatic authorization for the on behalf of action by an on behalf party to the call (col. 13, lines 2-4 - the secretary place a call on behalf of Mr. X).

Claim 45 is rejected for the same reasons as discussed above with respect to claims 9 and 11.

Regarding claim 46, Szlam teaches detecting a request for the on behalf action by at least one party to the call (col. 17, lines 56-59 – a receptionist or secretary answer the call for the called or desired party).

Claim Rejections - 35 USC § 103

3. Claims 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Szlam (U.S. Patent 5,511,112) in view of Brennan et al. (U.S. Patent 5,329,578).

Claims 23-24 are rejected for the same reasons as discussed above with respect to claim 20. However, Szlam does not suggest paging the on behalf of party within a

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paging radius of a private network system, or querying at least one line number for the on behalf of party.

Brennan et al. teaches when an incoming call from a caller answered by the PCS system, the caller has option to page the PCS subscriber (col. 12, lines 11-15), querying a line number to connect the caller to the PCS subscriber (col. 1, lines 42-43).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Brennan into the teachings of Szlam in order to have a user-friendly system that assist callers to locate the on behalf party via different types of communications and avoiding the on behalf party from missing important calls.

4. Claims 25-30, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Szlam (U.S. Patent 5,511,112) in view of Borland (U.S. Patent 6,178,230).

Regarding claims 25-30, and 49, Szlam does not teach accessing on behalf of filtering preferences; and filtering the on behalf of action in the call context according to the filtering preferences.

Borland teaches accessing on behalf filtering on behalf of filtering preferences; an filtering said on behalf of action in said call context according to said filtering preferences (col. 2, lines 16-24 and col. 7, lines 26-67 - allows certain parties referred to as exception parties to override the no-call feature).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of accessing on behalf of filtering

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preferences, as taught by Borland, in Szlam's system in order to determine the identify or filter out the person who placing or answer the call on behalf of the other.

5. Claims 50-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Szlam (U.S. Patent 5,511,112) in view of Tannenbaum et al. (U.S. Patent 5,901,209).

Claims 50 and 54 are rejected for the same reasons as discussed above with respect to claims 1 and 20. Szlam does not teach graphically displaying at least one on behalf of party authorized for a party utilizing a telephony device and updating a context for a call based on selection from the on behalf of party.

Tannenbaum et al. teaches a display means for displaying contact's name or other pertinent information (col. 5, lines 62-67); updating contact information (col. 14, lines 34-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Tannenbaum into the teachings of Szlam for the purpose of utilizing communication technologies for displaying useful information and utilizing the recorded information in various way.

Regarding claim 51, Tannenbaum et al. teach authenticating an identity of the party and authorizing the party utilizing the telephony device (col. 9, lines 65 through col. 13, line12; col. 11, lines 11-20).

Regarding claims 52 and 53, Szlam teaches selecting from among said at least one on behalf of party comprises a single (a called party, for example Mr. X) or plurality of on behalf of party/parties (a secretary calling on behalf of a company).

Allowable Subject Matter

6. Claims 12, 15, 31-44, and 55 are allowed.

Response to Arguments

7. Applicant's arguments filed 1/19/06 with respect to claims 12, 15, and 31-44 have been fully considered and are persuasive.

Applicant's arguments filed 1/19/06 with respect to claims 1-11, 13-14, 16-22, 25-30, and 45-54 have been fully considered but they are not persuasive. Applicant's arguments are addressed in the above claims rejections.

Applicant's arguments with regard to claims 23-24 and 50-54 are moot in view of new ground of rejection.

Regarding claim 1, Applicant argues, "Szl原因 does not disclose identifying a context for a call as claimed in claim 1 of the present application..." Examiner respectfully submits that the above only in the preamble of claim 1 and not recited in the body of claim 1.

Applicant mainly argues that "Szl原因 discloses improving agent efficiency by reducing non-productive time such as time on hold and time for wrap-up statements by determining that automated handling of the call is appropriate after an agent has been connected to a call. Depending upon the status of the call the agent may specify that the call has been essentially completed or that the agent is on hold." This is irrelevant.

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Applicant mainly argues "Szlam discloses an on behalf of action at column 12, lines 67 through col. 13, line 4 and column 17, lines 56-59. The cited section of Szlam actually discloses placing an agent on hold and asking the agent to hold for another party of the call. Asking an agent to hold as disclosed in Szlam is not a call context that indicates whether an on behalf of action is invoked for the call as claimed in the present application." Examiner respectfully submits that the claims do not recite placing or not placing the caller on hold. The "on-hold" issue is irrelevant to the claims' language. In fact Szlam does teach that the party in interest having the party's secretary place the call and once connected, ask the agent to please hold for Mr. X (col. 12, line 67 through col. 13, line 4).

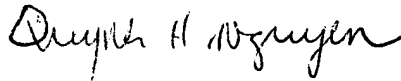
Applicant argues, "Borland teaches away from actions on behalf of others..". Examiner relies on Borland for the teachings of filtering the on behalf of action in the call context according to the filtering preferences. The primary reference Szlam already teaches actions on behalf of others.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:45 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan, can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Quynh H. Nguyen
Patent Examiner
Art Unit 2642